

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

IN RE AMERICAN EXPRESS ANTI-STEERING RULES ANTITRUST LITIGATION (II)

This Document Relates to:

Rite Aid Corporation, et al. v. American Express Travel Related Services Co., Inc., Case No: 08-cv-2315-NGG-RER

CVS Pharmacy, Inc. v. American Express Travel Related Services Co., Inc., Case No: 08-cv-02316-NGG-RER

Walgreen Co. v. American Express Travel Related Services Co., Inc., Case No: 08-cv-2317-NGG-RER

BI-LO, LLC v. American Express Travel Related Services Co., Inc., Case No: 08-cv-02380-NGG-RER

H.E. Butt Grocery Co. v. American Express Travel Related Services Co. Inc., Case No: 08-cv-02406-NGG-RER

The Kroger Co., Safeway, Inc., Ahold USA, Inc., Albertson's LLC, Hy-Vee, Inc., The Great Atlantic & Pacific Tea Company, Inc. v. American Express Travel Related Services Co., Inc., Case No: 11-cv-0337-NGG-RER

Meijer, Inc., Publix Super Markets, Inc., Raley's, and Supervalu v. American Express Travel Related Services Co., Inc., Case No: 11-cv-0338-NGG-RER

Master File No: 11-MD-02221 (NGG)(RER)

**STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE OF
MERCHANT PLAINTIFF ACTIONS**

Whereas Plaintiffs Ahold U.S.A., Inc.; Albertson's, LLC; BI-LO, LLC; CVS Pharmacy, Inc.; The Great Atlantic & Pacific Tea Company, Inc.; H.E. Butt Grocery Co.; Hy-Vee, Inc.; The Kroger Co.; Meijer, Inc.; Publix Super Markets, Inc.; Raley's Inc.; Rite Aid Corporation and Rite Aid HDQTRS. Corp.; Safeway Inc.; Supervalu Inc.; and Walgreen Co. (collectively "Merchant Plaintiffs"), having settled their respective actions against Defendants American Express Company ("American Express") and its wholly-owned subsidiary American Express Travel Related Services Company, Inc. ("American Express Travel") (collectively referred to as "Amex"), by and through their undersigned counsel, hereby stipulate and agree, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), that the Merchant Plaintiffs' actions against Amex be dismissed with prejudice, and with each side to bear its own attorneys' fees and costs.

Accordingly, it is hereby ordered, adjudged, and decreed that the actions of the Merchant Plaintiffs be and hereby are dismissed with prejudice, with each side to bear its own attorneys' fees and costs.

Dated: April 12, 2019.

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– and –

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SO ORDERED:

United States District Court Judge

Dated: _____